

REMARKS

The examiner is thanked for indicating that claims 31-34 and 37-40 contain allowable subject matter and would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

1. Objection to the Specification

With respect to the objection to the specification, Applicant has amended the specification to further discuss the feature of a pair of attachment faces 33e as shown in Fig. 3, as well as leg connecting part 33d, as shown in Fig. 4. In view of the amendments to the specification, Applicant respectfully requests reconsideration and withdrawal of the objection to the specification.

2. Objection to the Drawings

With respect to the objection to the drawings, as noted above, Applicant has amended the specification to further include the feature of a pair of attachment faces 33e shown in previously amended Fig. 3. In view of the amendments to the specification, Applicant respectfully requests reconsideration and withdrawal of the objection to the drawings.

3. Claim rejections under 35 U.S.C. §112, 2nd paragraph

With respect to the rejection of claim 40, Applicant has amended the specification as discussed above. Hence, the pair of attachment faces 33e and the pair of attachment rails 33c are two distinct and separate features. In view of the amendments to the arguments and amendment to the specification set forth above, Applicant respectfully requests reconsideration and withdrawal of the §112, 2nd paragraph, rejections of claim 40.

4. Rejection under 35 U.S.C. §102(b)

With respect to the rejection of claims 29-30 and 35-36 under 35 U.S.C. §102(b) as being anticipated by Narusawa (US 6,081,055), Applicant respectfully traverses the rejection at least for the reason that Narusawa fails to describe each and every limitation recited in the rejected claims.

Applicant respectfully submits that the prior art set forth by the Examiner in rejecting claims 29, 30, 35 and 36 based on Narusawa is improper. More specifically, the Examiner appears to improperly contend that the holder frame 30 having holding spring pieces 33 of Narusawa is equivalent to the attachment means and a pair of attachment faces of the presently claimed invention. In response, Applicant respectfully notes that the attachment means and the pair of attachment faces of each of claims 29 and 35 are a part of the vibration motor of the claimed invention, while the holder frame 30 and its holding spring pieces 33 of Narusawa are not included with the vibration motor 10, as shown in Figs. 3C-3D and Figs. 5C-5D of Narusawa. Further, in Narusawa the holder frame 30, including holding spring pieces 33, is positioned on a circuit board and receives the vibration motor body. Thus, the attachment means of Narusawa is not part of the vibration motor as is the case with the present invention.

In view of the arguments set forth above, Applicant respectfully requests the Examiner to consider Narusawa in its entirety as set forth in MPEP 2141.02(VI). Further, Applicant respectfully requests reconsideration and withdrawal of the §102(b) rejection of claims 29-30 and 35-36 and the objection to dependent claims 31-34 and 37-40.

5. Conclusion

In view of the amendments to the specification and drawings, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 29-40 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's representative, the Examiner is invited to contact the undersigned at the numbers shown.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,

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